

NOTICE OF PUBLIC MEETING OF THE ARIZONA STATE PARKS BOARD

Notice is hereby given to Members of the Arizona State Parks Board (Board) and the general public that the Board will hold a meeting, open to the public on **Thursday, February 17, 2005, at 9:00 a.m.** pursuant to A.R.S. § 38-431.02 and A.R.S. § 41-511.01 *et. seq.* at the **Board of Supervisors Meeting Room, 31 N. Pinal Street, Bldg. A, Florence, AZ.** The Board may elect to hold an Executive Session for any agenda item at any time during the meeting to discuss or consult with its legal counsel for legal advice on matters listed on this agenda pursuant to A.R.S. §38-431.03 (A) (3). Items on the Agenda may be discussed out of order, unless they have been specifically noted to be set for a time certain. Public comment will be taken. The Board will discuss and may take action on the following matters. Times noted in parenthesis are approximate; other times noted are time certain.

AGENDA

(Agenda items may be taken in any order unless set for a time certain)

- A. CALL TO ORDER - ROLL CALL – 9:00 A.M. (5 min.)**
- B. CONSENT AGENDA** - The following items of a noncontroversial nature have been grouped together for a single vote without Board discussion. The Consent Agenda is a timesaving device and Board members received documentation on these items for their review prior to the open meeting. Any Board member may remove any item from the Consent Agenda for discussion and a separate vote at this meeting as deemed necessary. The public may view the documentation relating to the Consent Agenda at the Board's office, 1300 W. Washington, Suite 104, Phoenix, Arizona. (5 min.)
 - 1. Approve Minutes of January 20, 2005 State Parks Board Meeting**
 - 2. Approve Executive Session Minutes of January 20, 2005 State Parks Board Meeting**
 - 3. Concession Contracts at Kartchner Caverns, Lyman Lake, and Alamo Lake State Parks** – Staff recommends that the Board authorize the Executive Director or his designee to enter into negotiations and award contracts for concession and other services at Kartchner Caverns, Lyman Lake, and Alamo Lake State Parks.
 - 4. Federal Funds – Historic Preservation Budget Amendment** – Staff recommends that the Board approve the revised FY 2005, FY 2006 and FY 2007 Federal Funds – Historic Preservation operating budget as a lump-sum and that the Executive Director be authorized to implement the programs, including submittal to the Governor's Office and legislature as required.
 - 5. Heritage Fund Interest Budget Amendment** – Staff recommends that the Board approve the revised FY 2005, FY 2006 and FY 2007 Heritage Fund Interest operating budget as a lump sum and that the Executive Director be authorized to implement the programs, including submittal to the Governor's Office and legislature as required.
 - 6. Consider Obligating Recreational Trail Program (RTP) 2004 Funds** – Staff recommends obligating the FFY2004 Nonmotorized Recreational Trails Program Project Funds to Arizona Trail Easement Purchase, Black Canyon Trail Easement Purchase and the construction of the Lime Kiln Trail. ASCOT voted to support this recommendation at their January 29, 2005 meeting with a 17-0 vote.

C. PRESENTATIONS

1. **State Land Trust Reform** – Jay Ziemann (20 min.)
2. **General Fund Appropriation Report** – Mark Siegwarth (15 min.)

D. EXECUTIVE STAFF UPDATES – The Board and staff may discuss and the Board may take action on the following, if requested by the Board: (10 min.)

1. **Meeting with the Governor 2/1/05** – Ken Travous
2. **Heritage Fund Legislation** – Jay Ziemann
3. **Other Legislation** – Jay Ziemann
4. **Cachet Homes** – Jay Ream
5. **Tonto Litigation** – Jay Ream
6. **Foundation Gathering March 10** – Cristie Statler

E. DISCUSSION ITEMS

1. **Current Assessment of McFarland State Historic Park** – Jay Ream (45 min.)

BREAK – 10:45 a.m.

2. **Arizona State Parks Foundation Agreement (No Later Than 11:00 a.m.)** – Cristie Statler (15 min.)

F. BOARD PROCEDURES – The Board may discuss matters of Board procedures relative to its meetings (30 min.)

G. EXECUTIVE SESSION – Upon a public majority vote, the Board may hold an Executive Session which is not open to the public for the following purposes: (10 min.)

1. **To discuss or consult with its legal counsel for legal advice on matters listed on this agenda pursuant to A.R.S. §38-431.03 (A)(3), including:**
 - a. **Mabery Easement Dispute Litigation**
2. **To discuss or consult with its legal counsel in order to consider its position and instruct its attorneys regarding the Board's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. §38-431.03 (A)(4)**
 - a. **Mabery Easement Dispute Litigation**

H. ACTION ITEMS FROM EXECUTIVE SESSION

1. **Mabery Easement Dispute Litigation**

I. CALL TO THE PUBLIC – Consideration and discussion of comments and complaints from the public. Those wishing to address the Board must register at the door and be recognized by the Chair. It is probable that each presentation will be limited to one person per organization. Action taken as a result of public comment will be limited to directing staff to study or reschedule the matter for further consideration at a later time. (20 min.)

J. TIME AND PLACE OF NEXT MEETING AND CALL FOR FUTURE AGENDA ITEMS (10 min.)

1. **Staff is recommending that the next meeting be scheduled for March 17, 2005 in Tubac,**

AZ.

- 2. Board members may wish to discuss issues of concern and request staff to place specific items on future Board meeting agendas.**

K. ADJOURNMENT – No later than 12:00 Noon

Some members of the Board may participate in a tour of McFarland State Historic Park following lunch (approximately 1:30 p.m.)

Pursuant to Title II of the Americans with Disabilities Act (ADA), Arizona State Parks does not discriminate on the basis of a disability regarding admission to public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the ADA Coordinator, Nicole Armstrong-Best, (602) 542-7152; or TTY (602) 542-4174. Requests should be made as early as possible to allow time to arrange the accommodation.



Kenneth E. Travous, Executive Director